

United States regarding the deployment of a missile defense system capable of defending the territory of the United States against limited ballistic missile attack.

S. 1874

At the request of Mr. CRAIG, his name was added as a cosponsor of S. 1874, a bill to improve the ability of small businesses, Federal agencies, industry, and universities to work with Department of Energy contractor-operated facilities, and for other purposes.

SENATE CONCURRENT RESOLUTION 55

At the request of Mr. GREGG, the name of the Senator from Ohio (Mr. GLENN) was added as a cosponsor of Senate Concurrent Resolution 55, a concurrent resolution declaring the annual memorial service sponsored by the National Emergency Medical Services Memorial Service Board of Directors to honor emergency medical services personnel to be the "National Emergency Medical Services Memorial Service."

SENATE CONCURRENT RESOLUTION 65

At the request of Ms. SNOWE, the name of the Senator from South Carolina (Mr. HOLLINGS) was added as a cosponsor of Senate Concurrent Resolution 65, a concurrent resolution calling for a United States effort to end restriction on the freedoms and human rights of the enclaved people in the occupied area of Cyprus.

SENATE CONCURRENT RESOLUTION 77

At the request of Mr. SESSIONS, the name of the Senator from Connecticut (Mr. DODD) was added as a cosponsor of Senate Concurrent Resolution 77, a concurrent resolution expressing the sense of the Congress that the Federal government should acknowledge the importance of at-home parents and should not discriminate against families who forego a second income in order for a mother or father to be at home with their children.

SENATE RESOLUTION 170

At the request of Mr. SPECTER, the names of the Senator from Mississippi (Mr. COCHRAN) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors of Senate Resolution 170, a resolution expressing the sense of the Senate that the Federal investment in biomedical research should be increased by \$2,000,000,000 in fiscal year 1999.

SENATE RESOLUTION 202—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL

Mr. LOTT (for himself and Mr. DASCHLE) submitted the following resolution; which was considered and agreed to:

S. RES. 202

Whereas, in the cases of *William L. Singer v. Office of Senate Fair Employment Practices*, No. 98-6002, and *Office of the Senate Sergeant at Arms v. Office of Senate Fair Employment Practices*, No. 98-6003, pending in the United States Court of Appeals for the Federal Circuit, petitioners William L. Singer and the Office of the Senate Sergeant at Arms have

sought review of a final decision of the Select Committee on Ethics, which had been entered, pursuant to section 308 of the Government Employee Rights Act of 1991, 2 U.S.C. §1208 (1994), in the records of the Office of Senate Fair Employment Practices;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1)(1994), the Senate may direct its counsel to defend committees of the Senate in civil actions relating to their official responsibilities;

Whereas, pursuant to section 303(f) of the Government Employee Rights Act of 1991, 2 U.S.C. §1203(f)(1994), for purposes of representation by the Senate Legal Counsel, the Office of Senate Fair Employment Practices, the respondent in this proceeding, is deemed a committee within the meaning of sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a), 288c(a)(1)(1994): Now, therefore, be it

Resolved, That the Senate Legal Counsel is directed to represent the Office of Senate Fair Employment Practices in the Cases of *William L. Singer v. Office of Senate Fair Employment Practices* and *Office of the Senate Sergeant at Arms v. Office of Senate Fair Employment Practices*.

AMENDMENTS SUBMITTED

CONCURRENT RESOLUTION ON THE CONGRESSIONAL BUDGET

SESSIONS (AND OTHERS) AMENDMENT NO. 2166

Mr. SESSIONS (for himself, Mr. LOTT, Mr. ENZI, Mr. HELMS, Mr. GRAMS, Mr. BROWNBACK, Mr. CRAIG, Mr. FRIST, Mr. ASHCROFT, Mr. MACK, Mr. COATS, Mr. GREGG, Mr. SANTORUM, Mr. LIEBERMAN, Mr. SHELBY, Mr. FAIRCLOTH, Mr. NICKLES, Mr. MCCONNELL, Mr. INHOFE, Mr. HUTCHINSON, Mr. COVERDELL, Mr. ABRAHAM, Mr. DEWINE, Mr. HAGEL, Mr. ALLARD, Mr. THURMOND, Mr. SMITH of Oregon, Mr. DODD, Mr. DOMENICI, Mr. DORGAN, and Mr. ROBERTS) proposed an amendment to the concurrent resolution (S. Con. Res. 86) setting forth the congressional budget for the United States Government for fiscal years 1999, 2000, 2001, 2002, and 2003 and revising the concurrent resolution on the budget for fiscal year 1998; as follows:

At the appropriate place, insert the following:

SEC. ____ FINDINGS; SENSE OF CONGRESS.

(a) Congress finds that—

(1) studies have found that quality child care, particularly for infants and young children, requires a sensitive, interactive, loving, and consistent caregiver;

(2) as most parents meet and exceed the criteria described in paragraph (1), circumstances allowing, parental care is the best form of child care;

(3) a recent National Institute for Child Health and Development study found that the greatest factor in the development of a young child is "what is happening at home and in families";

(4) as a child's interaction with his or her parents has the most significant impact on the development of the child, any Federal child care policy should enable and encourage parents to spend more time with their children;

(5) nearly ½ of preschool children have at-home mothers and only ⅓ of preschool children have mothers who are employed full time;

(6) a large number of low- and middle-income families sacrifice a second full-time income so that a mother may be at home with her child;

(7) the average income of 2-parent families with a single income is \$20,000 less than the average income of 2-parent families with 2 incomes;

(8) only 30 percent of preschool children are in families with paid child care and the remaining 70 percent of preschool children are in families that do not pay for child care, many of which are low- to middle-income families struggling to provide child care at home;

(9) child care proposals should not provide financial assistance solely to the 30 percent of families that pay for child care and should not discriminate against families in which children are cared for by an at-home parent; and

(10) any congressional proposal that increases child care funding should provide financial relief to families that sacrifice an entire income in order that a mother or father may be at home for a young child.

(b) SENSE OF CONGRESS.—It is the sense of Congress that the functional totals in this concurrent resolution on the budget assume that—

(1) many families in the United States make enormous sacrifices to forego a second income in order to have a parent care for a child at home;

(2) there should be no bias against at-home parents;

(3) parents choose many different forms of child care to meet the needs of their families, such as child care provided by an at-home parent, grandparent, aunt, uncle, neighbor, nanny, preschool, or child care center;

(4) any quality child care proposal should include, as a key component, financial relief for those families where there is an at-home parent; and

(5) mothers and fathers who have chosen and continue to choose to be at home should be applauded for their efforts.

GREGG AMENDMENT NO. 2167

Mr. GREGG proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

At the end of title III, add the following:

SEC. 3 . SENSE OF THE SENATE CONCERNING IMMUNITY.

It is the sense of the Senate that the levels in this resolution assume that no immunity will be provided to any tobacco product manufacturer with respect to any health-related civil action commenced by a State or local governmental entity or an individual prior to or after the date of the adoption of this resolution.

GREGG (AND OTHERS) AMENDMENT NO. 2168

Mr. GREGG (for himself, Mr. CONRAD, and Mr. LAUTENBERG) proposed an amendment to amendment No. 2167 proposed by Mr. GREGG to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

Strike all after the first word and insert the following:

3 . SENSE OF THE SENATE CONCERNING IMMUNITY.

It is the sense of the Senate that the levels in this resolution assume that no immunity

will be provided to any tobacco product manufacturer with respect to any health-related civil action commenced by a State or local governmental entity or an individual or class of individuals prior to or after the date of the adoption of this resolution.

KYL AMENDMENT NO. 2169

Mr. KYL proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, *supra*; as follows:

At the end of title III, add the following:

SEC. ____ SENSE OF CONGRESS REGARDING FREEDOM OF HEALTH CARE CHOICE FOR MEDICARE SENIORS.

(a) FINDINGS.—Congress finds the following:

(1) Medicare beneficiaries should have the same right to obtain health care from the physician or provider of their choice as do Members of Congress and virtually all other Americans.

(2) Most seniors are denied this right by current restrictions on their health care choices.

(3) Affording seniors this option would create greater health-care choices and result in fewer claims being paid out of the near-bankrupt medicare trust funds.

(4) Legislation to uphold this right of health care choice for seniors must protect beneficiaries and medicare from fraud and abuse. Such legislation must include provisions that—

(A) require that such contracts providing this right be in writing, be signed by the medicare beneficiary, and provide that no claim be submitted to the Health Care Financing Administration;

(B) preclude such contracts when the beneficiary is experiencing a medical emergency;

(C) allow for the medicare beneficiary to modify or terminate the contract prospectively at any time and to return to medicare; and

(D) are subject to stringent fraud and abuse law, including the medicare anti-fraud provisions in the Health Insurance Portability and Accountability Act of 1996.

(b) SENSE OF CONGRESS.—It is the sense of Congress that seniors have the right to see the physician or health care provider of their choice, and not be limited in such right by the imposition of unreasonable conditions on providers who are willing to treat seniors on a private basis, and that the assumptions underlying the functional totals in this resolution assume that legislation will be enacted to ensure this right.

ALLARD AMENDMENTS NOS. 2170–2172

(Ordered to lie on the table.)

Mr. ALLARD submitted three amendments intended to be proposed by him to the concurrent resolution Senate Concurrent Resolution 86, *supra*; as follows:

AMENDMENT NO. 2170

At the end of title II, add the following:

SEC. ____ REDUCTION OF NATIONAL DEBT.

(a) IN GENERAL.—In the Senate, beginning with fiscal year 2000 and for every fiscal year thereafter, it shall not be in order to consider any concurrent resolution on the budget, or amendment thereto or conference report thereon, that—

(1) that would cause budgeted outlays for that fiscal year to exceed budgeted revenues; and

(2) does not provide that actual revenues shall exceed actual outlays in order to provide for the reduction of the gross Federal debt as provided in subsection (b).

(b) AMOUNT.—The amount of reduction required by this section shall be equal to the amount required to amortize the debt over the next 30 years in order to repay the entire debt by the end of fiscal year 2028.

(c) WAIVER.—The Senate may only waive the provisions of this section for a fiscal year in which a declaration of war is in effect.

(d) PASSAGE OF REVENUE INCREASE.—No bill to increase revenues shall be deemed to have passed the Senate unless approved by a majority of the total membership of each House of Congress by a rollcall vote.

AMENDMENT NO. 2171

At the end of the budget resolution add the following new section:

SEC. . SENSE OF THE SENATE ON REPAYMENT OF THE FEDERAL DEBT.

(a) FINDINGS.—The Senate Finds that—

(1) Congress and the President have a basic moral and ethical responsibility to future generations to repay the Federal debt, including money borrowed from the Social Security Trust Fund;

(2) the Congress and the President should enact a law that creates a regimen for paying off the Federal debt within 30 years;

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the provisions of this resolution assume that—

(1) the Congress provide for the amortization of the Federal debt over 30 years, including money borrowed from the Social Security Trust Fund.

AMENDMENT NO. 2172

At the end of title II, add the following:

SEC. . USE OF BUDGET SURPLUS FOR DEBT REDUCTION

(a) DEBT REDUCTION RESERVE FUND.—The budget resolution shall include a Debt Reduction Reserve Fund (referred to as the "reserve fund") for the budget year if a unified budget surplus will occur in the budget year.

(b) AMOUNT OF RESERVE.—The amount of the reserve fund shall equal the total amount of any surplus not exceeding \$11,750,000,000.

(c) USE OF RESERVE FUND.—Amounts set aside in the reserve fund shall be used to reduce the debt and may not be expended for any purpose.

DODD AMENDMENT NO. 2173

Mr. CONRAD (for Mr. DODD) proposed an amendment to the concurrent resolution, S. Con. Res. 86, *supra*; as follows:

At the appropriate place, insert the following:

SEC. . DEFICIT-NEUTRAL RESERVE FUND FOR CHILD CARE IMPROVEMENTS.

(a) IN GENERAL.—In the Senate, revenue and spending aggregates and other appropriate budgetary levels and limits may be adjusted and allocations may be revised for legislation to improve the affordability, availability, and quality of child care and to support families' choices in caring for their children, provided that, to the extent that this concurrent resolution on the budget does not include the costs of that legislation, the enactment of that legislation will not increase (by virtue of either contemporaneous or previously-passed deficit reduction) the deficit in this resolution for—

(1) fiscal year 1999;

(2) the period of fiscal years 1999 through 2003; or

(3) the period of fiscal years 2004 through 2009.

(b) REVISED ALLOCATIONS.—

(1) ADJUSTMENTS FOR LEGISLATION.—Upon the consideration of legislation pursuant to

subsection (a), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(2) ADJUSTMENTS FOR AMENDMENTS.—If the Chairman of the Committee on the Budget of the Senate submits an adjustment under this section for legislation in furtherance of the purpose described in subsection (a), upon the offering of an amendment to that legislation that would necessitate such submission, the Chairman shall submit to the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(c) REPORTING REVISED ALLOCATIONS.—The appropriate committees shall report appropriately-revised allocations pursuant to section 302(b) of the Congressional Budget Act of 1974 to carry out this section.

(d) APPLICATION OF SECTION 202 OF H. CON. RES. 67.—Section 202 of H. Con. Res. 67 (104th Congress) shall not apply for purposes of this section.

CONRAD (AND OTHERS) AMENDMENT NO. 2174

Mr. CONRAD (for himself, Mr. LAUTENBERG, Mr. BINGAMAN, Mr. REED, and Mr. KENNEDY) proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, *supra*; as follows:

On page 28, strike line 2 through line 17 and insert the following:

(a) IN GENERAL.—In the Senate, revenue and spending aggregates may be adjusted and allocations may be adjusted for legislation that reserves the Federal share of receipts from tobacco legislation for—

(1) (A) public health efforts to reduce the use of tobacco products by children, including youth tobacco control education and prevention programs, counter-advertising, research, and smoking cessation;

(B) transition assistance programs for tobacco farmers;

(C) increased funding for the Food and Drug Administration to protect children from the hazards of tobacco products; or

(D) increased funding for health research; and

(2) savings for the Medicare Hospital Insurance Trust Fund.

(b) REVISED AGGREGATES AND ALLOCATIONS.—Upon the consideration of legislation pursuant to subsection (a), the Chairman of the Committee on the Budget of the Senate may file with the Senate appropriately-revised allocations under section 302(a) of the Congressional Budget Act of 1974 and revised functional levels and aggregates to carry out this section. These revised allocations, functional levels, and aggregates shall be considered for the purposes of the Congressional Budget Act of 1974 as allocations, functional levels, and aggregates contained in this resolution.

(c) APPLICATION OF SECTION 202 OF H. CON. RES. 67.—For the purposes of enforcement of Section 202 of H. Con. Res. 67 (104th Congress) with respect to this resolution, the increase in the Federal share of receipts resulting from tobacco legislation and used to fund

subsection (a)(2) shall not be taken into account.

**MOSELEY-BRAUN (AND BINGAMAN)
AMENDMENT NO. 2175**

Mr. CONRAD (for Ms. MOSELEY-BRAUN for herself and Mr. BINGAMAN) proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

At the end of title III, insert the following:

**SEC. . SENSE OF THE SENATE REGARDING
SCHOOL MODERNIZATION AND CONSTRUCTION.**

(a) FINDINGS.—The Senate finds that—

(1) the General Accounting Office has performed a comprehensive survey of the Nation's public elementary and secondary school facilities and has found severe levels of disrepair in all areas of the United States;

(2) the General Accounting Office has concluded that more than 14,000,000 children attend schools in need of extensive repair or replacement, 7,000,000 children attend schools with life safety code violations, and 12,000,000 children attend schools with leaky roofs;

(3) the General Accounting Office has found the problem of crumbling schools transcends demographic and geographic boundaries. At 38 percent of urban schools, 30 percent of rural schools, and 29 percent of suburban schools, at least one building is in need of extensive repair or should be completely replaced;

(4) the condition of school facilities has a direct effect on the safety of students and teachers and on the ability of students to learn. Academic research has provided a direct correlation between the condition of school facilities and student achievement. At Georgetown University, researchers have found the test scores of students assigned to schools in poor condition can be expected to fall 10.9 percentage points below the test scores of students in buildings in excellent condition. Similar studies have demonstrated up to a 20 percent improvement in test scores when students were moved from a poor facility to a new facility;

(5) the General Accounting Office has found most schools are not prepared to incorporate modern technology in the classroom. Forty-six percent of schools lack adequate electrical wiring to support the full-scale use of technology. More than a third of schools lack the requisite electrical power. Fifty-six percent of schools have insufficient phone lines for modems;

(6) the Department of Education has reported that elementary and secondary school enrollment, already at a record high level, will continue to grow over the next 10 years, and that in order to accommodate this growth, the United States will need to build an additional 6,000 schools;

(7) the General Accounting Office has determined the cost of bringing schools up to good, overall condition to be \$112,000,000,000, not including the cost of modernizing schools to accommodate technology, or the cost of building additional facilities needed to meet record enrollment levels;

(8) schools run by the Bureau of Indian Affairs (BIA) for Native American children are also in dire need of repair and renovation. The General Accounting Office has reported that the cost of total inventory repairs needed for BIA facilities is \$754,000,000. The December 1997 report by the Comptroller General of the United States states that, "Compared with other schools nationally, BIA schools are generally in poorer physical condition, have more unsatisfactory environmental factors, more often lack key facilities requirements for education reform, and

are less able to support computer and communications technology;"

(9) State and local financing mechanisms have proven inadequate to meet the challenges facing today's aging school facilities. Large numbers of local educational agencies have difficulties securing financing for school facility improvement;

(10) the Federal Government has provided resources for school construction in the past. For example, between 1933 and 1939, the Federal Government assisted in 70 percent of all new school construction; and

(11) the Federal Government can support elementary and secondary school facilities without interfering in issues of local control, and should help communities leverage additional funds for the improvement of elementary and secondary school facilities.

(b) SENSE OF THE SENATE.—It is the sense of the Senate that the assumptions underlying the functional totals in this budget resolution assume the enactment of legislation to allow States and school districts to issue \$21.8 billion worth of zero-interest school modernization bonds to rebuild and modernize our Nation's schools, and to provide Federal income tax credits to the purchasers of those bonds in lieu of interest payments.

BOXER AMENDMENT NO. 2176

Mr. CONRAD (for Mrs. BOXER) proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

On page 16, line 9, increase the amount by \$50,000,000.

On page 16, line 10, increase the amount by \$6,000,000.

On page 16, line 13, increase the amount by \$50,000,000.

On page 16, line 14, increase the amount by \$40,000,000.

On page 16, line 17, increase the amount by \$50,000,000.

On page 16, line 18, increase the amount by \$49,000,000.

On page 16, line 21, increase the amount by \$50,000,000.

On page 16, line 22, increase the amount by \$50,000,000.

On page 16, line 25, increase the amount by \$50,000,000.

On page 17, line 1, increase the amount by \$50,000,000.

On page 25, line 8, decrease the amount by \$50,000,000.

On page 25, line 9, decrease the amount by \$6,000,000.

On page 25, line 12, decrease the amount by \$50,000,000.

On page 25, line 13, decrease the amount by \$40,000,000.

On page 25, line 16, decrease the amount by \$50,000,000.

On page 25, line 17, decrease the amount by \$49,000,000.

On page 25, line 20, decrease the amount by \$50,000,000.

On page 25, line 21, decrease the amount by \$50,000,000.

On page 25, line 24, decrease the amount by \$50,000,000.

On page 25, line 25, decrease the amount by \$50,000,000.

BROWNBACK AMENDMENT NO. 2177

Mr. BROWNBACK proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

At the end of title III, add the following:

**SEC. . SENSE OF THE SENATE ON ECONOMIC
GROWTH, SOCIAL SECURITY, AND
GOVERNMENT EFFICIENCY.**

It is the sense of the Senate that the functional totals underlying this resolution assume that—

(1) the elimination of a discretionary spending program may be used for either tax cuts or to reform the Social Security system.

(2) the Congressional Budget Act of 1974, the Balanced Budget and Emergency Deficit Control Act of 1985, and other appropriate budget rules and laws should be amended to implement the policy states in paragraph (1).

BURNS AMENDMENT NO. 2178

Mr. BURNS proposed an amendment to the concurrent resolution, Senate Concurrent Resolution 86, supra; as follows:

At the appropriate place, insert the following:

SEC. . SENSE OF SENATE REGARDING AGRICULTURAL TRADE PROGRAMS.

It is the sense of the Senate that the functional totals in this concurrent resolution assume the Secretary of Agriculture will use agricultural trade programs established by law to promote, to the maximum extent practicable, the export of United States agricultural commodities and products.

NOTICES OF HEARINGS

COMMITTEE ON LABOR AND HUMAN RESOURCES

Mr. JEFFORDS. Mr. President, I would like to announce for information of the Senate and the public that an executive session of the Senate Committee on Labor and Human Resources will be held on Wednesday, April 1, 1998, 1:30 p.m., in SD-430 of the Senate Dirksen Building. The following is the committee's agenda.

1. S. 1882, Higher Education Act Amendments of 1998.

2. S. 1754, the Health Professions Education Partnerships Act of 1998.

3. Presidential nominations.
For further information, please call the committee, 202/224-5375.

COMMITTEE ON INDIAN AFFAIRS

Mr. CAMPBELL. Mr. President, I would like to announce that the Senate Committee on Indian Affairs will meet on Wednesday, April 1, 1998 at 10:30 a.m. in room 106 of the Dirksen Senate Office Building to conduct a mark-up on the following business: (1) the nomination of Katherine Archuleta of Denver, Colorado to serve on the Board of Directors of the Institute of American Indian and Alaska Native Culture and Arts Development; (2) S. 1279, Indian Employment, Training and Related Services Demonstration Act Amendments of 1997; and (3) S. 1797, the Reduction in Tobacco Use and Regulation of Tobacco Products in Indian Country Act of 1998 to be followed immediately by a hearing on amendments to the Indian Gaming Regulatory Act of 1998.

Those wishing additional information should contact the Committee on Indian Affairs at 224-2251.

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Mr. LUGAR. Mr. President, I would like to announce that the Senate Committee on Agriculture, Nutrition, and Forestry will meet on Thursday, April 2, 1998 at 9:00 a.m. in SR-328A. The purpose of this meeting will be to examine recently proposed legislation aimed at managing animal waste.